

## Environmental Protection Agency

## § 266.106

demonstrated simultaneously by emissions testing or during separate runs under identical operating conditions. Further, data to demonstrate compliance with the CO and HC limits of this section or to establish alternative CO or HC limits under this section must be obtained during the time that DRE testing, and where applicable, CDD/CDF testing under paragraph (e) of this section and comprehensive organic emissions testing under paragraph (f) is conducted.

(h) *Enforcement.* For the purposes of permit enforcement, compliance with the operating requirements specified in the permit (under §266.102) will be regarded as compliance with this section. However, evidence that compliance with those permit conditions is insufficient to ensure compliance with the requirements of this section may be “information” justifying modification or revocation and re-issuance of a permit under §270.41 of this chapter.

[56 FR 7208, Feb. 21, 1991; 56 FR 32689, July 17, 1991, as amended at 57 FR 38565, Aug. 25, 1992; 58 FR 38883, July 20, 1993; 60 FR 33914, June 29, 1995; 62 FR 32463, June 13, 1997]

### § 266.105 Standards to control particulate matter.

(a) A boiler or industrial furnace burning hazardous waste may not emit particulate matter in excess of 180 milligrams per dry standard cubic meter (0.08 grains per dry standard cubic foot) after correction to a stack gas concentration of 7% oxygen, using procedures prescribed in 40 CFR part 60, appendix A, methods 1 through 5, and appendix IX of this part.

(b) An owner or operator meeting the requirements of §266.109(b) for the low risk waste exemption is exempt from the particulate matter standard.

(c) Oxygen correction. (1) Measured pollutant levels must be corrected for the amount of oxygen in the stack gas according to the formula:

$$P_c = P_m \times 14 / (E - Y)$$

Where:

$P_c$  is the corrected concentration of the pollutant in the stack gas,  $P_m$  is the measured concentration of the pollutant in the stack gas,  $E$  is the oxygen concentration on a dry basis in the combustion air fed to

the device, and  $Y$  is the measured oxygen concentration on a dry basis in the stack.

(2) For devices that feed normal combustion air,  $E$  will equal 21 percent. For devices that feed oxygen-enriched air for combustion (that is, air with an oxygen concentration exceeding 21 percent), the value of  $E$  will be the concentration of oxygen in the enriched air.

(3) Compliance with all emission standards provided by this subpart must be based on correcting to 7 percent oxygen using this procedure.

(d) For the purposes of permit enforcement, compliance with the operating requirements specified in the permit (under §266.102) will be regarded as compliance with this section. However, evidence that compliance with those permit conditions is insufficient to ensure compliance with the requirements of this section may be “information” justifying modification or revocation and re-issuance of a permit under §270.41 of this chapter.

[56 FR 7208, Feb. 21, 1991, as amended at 64 FR 53075, Sept. 30, 1999]

### § 266.106 Standards to control metals emissions.

(a) *General.* The owner or operator must comply with the metals standards provided by paragraphs (b), (c), (d), (e), or (f) of this section for each metal listed in paragraph (b) of this section that is present in the hazardous waste at detectable levels by using appropriate analytical procedures.

(b) *Tier I feed rate screening limits.* Feed rate screening limits for metals are specified in appendix I of this part as a function of terrain-adjusted effective stack height and terrain and land use in the vicinity of the facility. Criteria for facilities that are not eligible to comply with the screening limits are provided in paragraph (b)(7) of this section.

(1) *Noncarcinogenic metals.* The feed rates of antimony, barium, lead, mercury, thallium, and silver in all feed streams, including hazardous waste, fuels, and industrial furnace feed stocks shall not exceed the screening limits specified in appendix I of this part.